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APPLICATION N	ŧO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,872		12/03/2003	Pawan Sinha	018236-000720US	6742
20350	7590	01/27/2006		EXAMINER	
		D TOWNSEND AN ERO CENTER	LEE, SIN J		
EIGHTH		EKO CENTEK		ART UNIT	PAPER NUMBER
SAN FR	ANCISCO,	CA 94111-3834	1752		
				DATE MAIL ED. 01/27/2004	e

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summers		Application No.	pplication No. Applicant(s)					
		10/727,872	SINHA ET AL.					
	Office Action Summary	Examiner	Art Unit					
		Sin J. Lee	1752					
Period fo	The MAILING DATE of this communication ap or Reply	pears on the cover sheet with the c	orrespondence address					
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPL CHEVER IS LONGER, FROM THE MAILING D nsions of time may be available under the provisions of 37 CFR 1. SIX (6) MONTHS from the mailing date of this communication. or period for reply is specified above, the maximum statutory period re to reply within the set or extended period for reply will, by statut reply received by the Office later than three months after the mailine and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 136(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from a, cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).					
Status								
1) 又	Responsive to communication(s) filed on 16 N	lovember 2005.						
	This action is FINAL . 2b)⊠ This action is non-final.							
3)□	, 							
,—	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Dispositi	on of Claims	•						
· _		aallaatla						
	Claim(s) <u>1-6 and 35-62</u> is/are pending in the a	• •						
	4a) Of the above claim(s) is/are withdrawn from consideration.							
	Claim(s) <u>1-6,35,37-43,45-55,57-59,61 and 62</u> is/are allowed.							
	Claim(s) <u>36,44,56 and 60</u> is/are rejected.							
	Claim(s) is/are objected to.							
اـــا(٥	Claim(s) are subject to restriction and/o	or election requirement.						
Applicati	on Papers							
9)	The specification is objected to by the Examine	er.	·					
10)⊠	10)⊠ The drawing(s) filed on <u>03 December 2003</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.							
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11)	11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority ι	ınder 35 U.S.C. § 119							
	2) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:							
	1. Certified copies of the priority document	s have been received.						
	2. Certified copies of the priority documents have been received in Application No							
	3. Copies of the certified copies of the prior							
	application from the International Bureau (PCT Rule 17.2(a)).							
* 5	* See the attached detailed Office action for a list of the certified copies not received.							
Attachmen		_						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) 2) Paper No(s)/Mail Date								
	e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		ate Patent Application (PTO-152)					
	r No(s)/Mail Date	6) Other:	,					
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DETAILED ACTION

1. In view of the amendment of November 16, 2005, previous 112 rejections on claims 38-62 are hereby withdrawn.

2. Due to new ground of rejection, the following rejection is made non-final.

Claim Rejections - 35 USC § 112

3. Claims 36, 44, 56 and 60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Preambles of those claims indicate that those claims are *product* claims.

However, in all of those claims 36, 44, 56 and 60, applicants are reciting *processing* steps after the preamble, thus rendering the scope of those claims indefinite (i.e., it is not clear whether those claims are product claims or method claims).

Appropriate correction is required.

Allowable Subject Matter

4. It is to be noted that the term "wafer" as recited in present claims 1, 38, 52, 58 and 62 is interpreted by the Examiner to mean a semiconductor wafer, based on the definition ("a thin slice of semiconductor (as silicon) used as a base for an electronic component or circuit") given by Merriam Webster's Collegiate Dictionary, 10th Ed.

Also, it is to be noted that the term "paragraph" as recited in present claims 1, 38, 52, 58 and 62 is interpreted by the Examiner to mean a subdivision of a written composition that consists of one or more sentences, deals with one point or gives the words of one

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speaker, and begins on a new usually indented line or a short composition or note that is complete in one paragraph, based on the definition given by Merriam Webster's Collegiate Dictionary, 10th Ed.

- 5. Claims 1-6, 35, 37-43, 45-55, 57-59, 61 and 62 are allowed. Even though Corson et al (US 6,629,292 B1) teaches a method of forming high-resolution gray scale graphical images in a semiconductor substrate, the reference is not a prior art for present invention since the effective filing date of the reference is October 6, 2000 whereas the effective filing date of present invention is September 15, 2000.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

\$. f. f. S. Lee

January 23, 2006

SIN LEE

PRIMARY EXAMINER

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